

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ALTURO PASCO,

Plaintiff,

vs.

JAMES DONALD, et al.,

Defendants.

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5:06-cv-141 (CAR)

***ORDER ON THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE***

Before the Court is a Report and Recommendation (Doc. 51) from United States Magistrate Judge Claude W. Hicks, Jr., which recommends granting Defendants' Motion for Summary Judgment (Doc. 34) and denying Plaintiff's Motion for Injunctive Relief (Doc. 23). Plaintiff filed an Objection to the Recommendation (Doc. 52), and pursuant to 28 U.S.C. § 636(b)(1), the Court has made a de novo determination of the portions of the Recommendation to which Plaintiff objects. In his Objection, Plaintiff continues to argue that both Standard Operating Procedure VA01-0011 and the Alternative Entree Program placed a substantial burden on his right to exercise his chosen religion. As explained in the Recommendation, binding precedent holds that policies virtually identical to the policies in this case do not place a substantial burden on a plaintiff's right to exercise his religion and thus do not rise to the level of a constitutional violation. Accordingly, the Recommendation is **ACCEPTED**, Defendants' Motion for Summary Judgment is **GRANTED**, and Plaintiff's Motion for Injunctive Relief is **DENIED**.

SO ORDERED, this 27th day of September, 2007.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

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